	Application No.	**Applicant(s)**
Notice of Allowability	10/663,128	POMARANSKI ET AL.
	Examiner	**Art Unit**	
	Daniel Kim	2185	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed 8/3/07*.

2. ☒ The allowed claim(s) is/are *1-44*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .
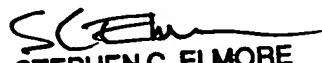
STEPHEN C. ELMORE
PRIMARY EXAMINER

Examiner's Amendment

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Petar Kraguljac, registration number 38,520 on October 16, 2007.

2.   **In the claims:**

Claim 35, line 1,

replace "A computer-readable medium storing" with --A computer-

readable medium physically storing--.

Reasons for Allowance

3.   The following is an examiner's statement of reasons for allowance:

In independent claims 1, 17, 29, 35, 37, 38 and 44 directed towards an operating

system transparent system and method for on-the-fly memory testing, the following

features taken in combination with the remaining limitations in the independent claims

are not found in and/or are not obvious in view of the prior art of record:

Claim 1, *"where the first plurality of memory locations is less than a page of*

memory and where the second plurality of memory locations is less than a page of

*memory, where the memory mapping logic and the memory quality assurance logic do
not consume operating system resources".*

Claim 17, *"initiating memory testing of the first plurality of memory locations
without an operating system interaction and without consumption of operating system
resources, where the first plurality of memory locations is less than a page of memory
and where the second plurality of memory locations is less than a page of memory".*

Claim 29, *"where the first plurality of memory locations is less than a page of
memory and where the second plurality of memory locations is less than a page of
memory, where the memory mapping logic and the memory quality assurance logic are
transparent to an operating system".*

Claim 35, *"initiating testing of the first memory location without consuming
operating system resources, where the first set of memory is less than a page of
memory and where the second set of memory is less than a page of memory".*

Claim 37, *"where the set of memory is less than a page of memory, where the
means for logically replacing a testable memory location, the means for testing the
testable memory location and the means for selectively logically removing the testable
memory location do not consume operating system resources".*

Claim 38, *"where the memory identifying logic, the programmable memory
address resolving logic, and the test controlling logic do not consume operating system
resources, where the plurality of target memory locations is less than a page of memory
and where the plurality of replacement memory locations is less than a page of
memory".*

Claim 44, *"testing the plurality of test memory locations without disrupting an operating system instance, where the plurality of test memory locations is less than a page of memory and where the plurality of mirroring memory locations is less than a page of memory, where the method is performed without consumption of operating system resources".*

4.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Contact Information

5.   Any inquiries concerning this action or earlier actions from the examiner should be directed to Daniel Kim, reachable at 571-272-2742, on Mon-Fri from 10:00am-6:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sanjiv Shah, is also reachable at 571-272-4098.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information from published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. All questions

regarding access to the Private PAIR system should be directed to the Electronic

Business Center (EBC), reachable at 866-217-9197.

DK

10-16-07

STEPHEN C. ELMORE
PRIMARY EXAMINER